

EXHIBIT 5

From: DMCA
To: "andy@digeratidistribution.com"
Cc: DMCA; "ccowart@creedon.com"; Chris Schenck
Subject: DMCA Takedown Notice 34304
Date: Wednesday, February 15, 2023 1:47:31 PM
Attachments: 35261803_1 DMCA Takedown Notice to Steam.pdf

DMCA Takedown Notice on your item

Valve has received a DMCA copyright takedown notice directed at your game on Steam, at https://store.steampowered.com/app/1276810/The_Outbound_Ghost/. *A copy of the notice is set forth in full at the end of this email.*

Conrad Grindheim Borrell on behalf of Conradical Sarl alleges that they are the copyright owner of The Outbound Ghost 1.0 computer program and that your use of the content without their authorization infringes their rights. The original DMCA complaint and copyright registration are attached to this email.

As a result of this complaint, we have temporarily removed your game from Steam as required by law.

Valve follows the procedure set forth in the Digital Millennium Copyright Act. The DMCA is a United States copyright law that governs online service provider liability in case of a copyright infringement claim. **When we receive a DMCA notice, Valve must take down the allegedly infringing copyright materials; otherwise, Valve could be subject to a copyright infringement claim.**

Counter-Notice Process

If you feel that the DMCA notice filed against you is inaccurate, Valve can reinstate your posting on Steam only upon receipt of a DMCA-compliant counter-notice from you containing the following information listed below. Upon receipt of your counter-notice, the claimant is allowed 10 business days to bring legal proceedings against you. If we do not receive notice of such proceeding within that period, then we will reinstate your content. Please note: If the content in your post infringed when the original copyright complaint arrived, your counter-notice is not legally valid. Do not submit a counter-notice if there was illegal content, even if it has now been removed.

1. Identify the material that Valve removed or disabled access to and the location at which it previously appeared.

https://store.steampowered.com/app/1276810/The_Outbound_Ghost/

2. Your statement, made under penalty of perjury, that you have a good faith belief that Valve removed that material due to a mistake or misidentification of the material to be removed or disabled.

I, _____, hereby state, under penalty of perjury, that I have a good faith belief that Valve removed that material due to a mistake or misidentification of the material to be removed or disabled.

3. Your name, complete mailing address, and telephone number.

Name

Mailing Address

Telephone number

4. A statement that you consent to the jurisdiction of your local federal District Court (or if you are located outside the United States, the Federal District Court for Western Washington, where Valve is located) and that you will accept service of process from the person who provided the notice of alleged copyright infringement (or an agent of that person).

I, _____, hereby consent to the jurisdiction of the U.S. District Court in which my home (identified above) is located, (or if I live outside the United States, the

Federal District Court for Western Washington, where Valve is located). I further promise that I will accept service of process from the person who provided the notice of alleged copyright infringement (or an agent of that person).

5. Your physical or electronic signature.

/Signature/, digital signature, or a scanned copy of this statement with your handwritten signature. This signature indicates your willingness to stand behind the statements you make.

If you have legal questions about this notification, you should retain your own counsel. Valve cannot provide legal advice. Please let us know if you have any other questions about this notification.

Thanks for your attention.

DMCA Team

Valve Corporation

CONTENT BEING REPORTED

This is the letter that our legal team has sent to chriss@valvesoftware.com, dawnd@valvesoftware.com, and alden@valvesoftware.com. We have placed the plaintext version of the letter below:

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through Steam by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL: https://store.steampowered.com/app/1276810/The_Outbound_Ghost/.

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from Steam pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”). The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as Exhibit A hereto). The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Steam or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other

applicable intellectual property laws of the United States of America.

Based on the above, on behalf of the Developer, we hereby ask Valve Corporation to remove the Video Game's store page from Steam immediately upon receipt of this notice.

In addition, in line with the instructions set forth on Steam's website, we have completed and submitted the attached form Steam's website. See, <https://steamcommunity.com/dmca/create/>
If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.

ORIGINAL CONTENT

Any Steam account that controls The Outbound Ghost that is not controlled by Conradical Sarl is unauthorized and hence the Steam page should be given back to the Steam account "conradicalgames". An excerpt from the letter above that identifies relevant information:

The purpose of this communication is to seek the immediate removal of the Video Game's store page from Steam pursuant to Section 512(c) of the Digital Millennium Copyright Act ("DMCA"). The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as Exhibit A hereto). The Developer granted Digerati a license (the "License") to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the "Licensing Agreement").

Plaintiff

Conrad Grindheim Borrell

On behalf of copyright holder: Conradical Sarl

Rue Ransou 151

Chalet le Nid d'Oiseaux

Verbier, Bagnes 1936

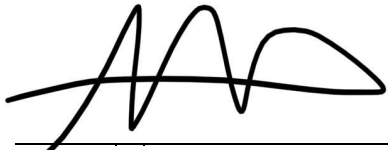
CH

+41 76 227 39 30

conrad@conradicalgames.com

Signed by: Conrad Grindheim Borrell

M M M M M M M M M M
M M I attest that the information in this notice is accurate,
and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being
infringed by the material described above.

A handwritten signature in black ink, consisting of a series of loops and a horizontal line, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.

M M

Exhibit A

Registration Number
TX 9-222-190
Effective Date of Registration:
February 08, 2023
Registration Decision Date:
February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022
Date of 1st Publication: June 13, 2022
Nation of 1st Publication: United States

Author _____

- Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program
New material included in claim: computer program

Certification _____

Name: Conrad Grindheim
Date: February 08, 2023
Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

Focus Multimedia Ltd.
The Studios, Lea Hall Enterprise Park, Wheelhouse Road
Rugeley, Brereton, Staffordshire, WS15 1LH
United Kingdom

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through Focus Multimedia Ltd. (“Focus Multimedia”) on their website fanatical.com by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL:
<https://www.fanatical.com/en/game/the-outbound-ghost>.

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from fanatical.com pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Fanatical.com or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Focus Multimedia to remove the Video Game’s store page at fanatical.com immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim
Date: February 08, 2023
Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

Copyright Agent
GOG sp. z o.o.
ul. Jagiellońska 74
03-301 Warsaw
Poland
legal@GOG.COM

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, currently being sold through GOG by Digerati Distribution & Marketing, LLC, as publisher (“Digerati”), at the following URL: https://www.gog.com/game/the_outbound_ghost.

The purpose of this communication is to seek the immediate removal of the Video Game’s store page from GOG’s website pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).


Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through GOG or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask GOG to remove the Video Game’s store page at GOG’s website immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim
Date: February 08, 2023
Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

Merge Games Ltd.
The School House
Alderley Rd, Chelford
Macclesfield SK11 9AP
support@mergegames.com

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Merge Games Ltd. (“Merge Games”).

The purpose of this communication is to have Merge Games immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

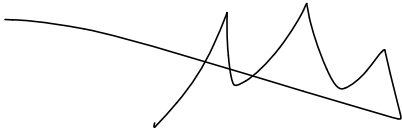
Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Merge Games or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Merge Games to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

Nintendo of America Inc.
c/o Legal Department, Intellectual Property Policy
4600 150th Ave NE
Redmond, WA 98052
dmca@noa.nintendo.com

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the "Developer") with respect to The Outbound Ghost (the "Video Game"), a video game developed by it, currently being sold for Switch on Nintendo's online store by Digerati Distribution & Marketing, LLC, as publisher ("Digerati"), at the following URL: <https://www.nintendo.com/store/products/the-outbound-ghost-switch/>.

The purpose of this communication is to seek the immediate removal of the Video Game's store page from Nintendo's online store pursuant to Section 512(c) of the Digital Millennium Copyright Act ("DMCA").

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the "License") to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the "Licensing Agreement").

Due to Digerati's repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement's own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Nintendo of America, Inc. ("Nintendo") or any other platform. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer's copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Nintendo to remove the Video Game's store page at Nintendo's online store immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

Soft Source Pte Ltd
190 Middle Road
#11-05 Fortune Centre
Singapore 188979
support@softsource.sg

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Soft Source Pte Ltd (“Soft Source”).

The purpose of this communication is to have Soft Source Pte Ltd (“Soft Source”) immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

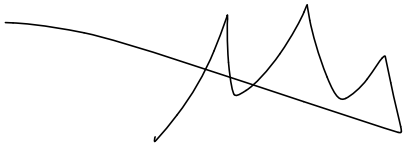
Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Soft Source or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Soft Source to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

ALMARAN LAW PLLC
57 Turner Pl., #2, Brooklyn NY 11218

DMCA TAKEDOWN NOTICE

February 16, 2023

TESURA GAMES, S.L.
Océano Índico 9
Miraflores de la Sierra (28792)
Madrid, ESPAÑA
contact@tesuragames.com

Re: The Outbound Ghost - DMCA Takedown Notice

My name is Andrés Arnaldos Montaner and I am legal counsel to Conradical Sàrl (the “Developer”) with respect to The Outbound Ghost (the “Video Game”), a video game developed by it, that we understand is currently being sold by Tesura Games, S.L. (“Tesura Games”).

The purpose of this communication is to have Tesura Games immediately cease selling the Video Game pursuant to Section 512(c) of the Digital Millennium Copyright Act (“DMCA”).

The Developer is the creator of the Video Game and has registered its copyright with respect to the Video Game with the U.S. Copyright Office, with registration number TX 9-222-190 (a copy of an unofficial certificate of such registration is attached as **Exhibit A** hereto).

The Developer granted Digerati a license (the “License”) to distribute the Video Game pursuant to the Video Game Licensing Agreement by and between the Developer and Digerati dated September 10, 2021 (the “Licensing Agreement”).

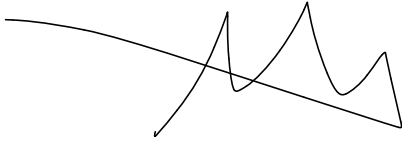
Due to Digerati’s repeated breaches of several material provisions of the Licensing Agreement, and pursuant to such agreement’s own terms, the Licensing Agreement and the License have been terminated, and therefore Digerati no longer has any rights to distribute the Video Game through Tesura Games or any other platform or retailer. Therefore, any further distribution of the Video Game on behalf of Digerati amounts to an infringement of the Developer’s copyright with respect to the Video Game and is prohibited by other applicable intellectual property laws of the United States of America. Other platforms, such as Steam, have already ceased distributing the Video Game after receiving a similar DMCA takedown notice from us.

Based on the above, on behalf of the Developer, we hereby ask Tesura Games to cease selling the Video Game immediately upon receipt of this notice.

If you have any questions, please contact me at andres.arnaldos@almaranlaw.com or (646)580-0804.

I have a good faith belief that the use of the material in the manner complained of above is not authorized by the copyright owner, its agent, or the law. **I attest that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the rights being infringed by the material described above.**

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and peaks, positioned above a horizontal line.

Andrés Arnaldos Montaner, Esq.
Attorney at Law

Exhibit A

Registration Number

TX 9-222-190

Effective Date of Registration:

February 08, 2023

Registration Decision Date:

February 09, 2023

Title _____

Title of Work: The Outbound Ghost 1.0

Completion/Publication _____

Year of Completion: 2022

Date of 1st Publication: June 13, 2022

Nation of 1st Publication: United States

Author _____

• Author: Conradical Sarl
Author Created: computer program
Work made for hire: Yes
Citizen of: Switzerland

Copyright Claimant _____

Copyright Claimant: Conradical Sarl
Rue de Ransou 151, Verbier, 1936, Switzerland

Limitation of copyright claim _____

Material excluded from this claim: computer program

New material included in claim: computer program

Certification _____

Name: Conrad Grindheim

Date: February 08, 2023

Applicant's Tracking Number: 163685.00005

Digerati Distribution & Marketing

From: Mike Corrigan <mike@digeratidistribution.com>
Sent: 26 April 2023 09:02
To: Andy Dennis
Subject: Fwd: The Outbound Ghost on GMG

----- Forwarded message -----

From: **Rosanna Mattiello** <rosanna.mattiello@greenmangaming.com>
Date: Thu, Feb 16, 2023 at 2:41 PM
Subject: The Outbound Ghost on GMG
To: Mike Corrigan <mike@digeratidistribution.com>

Hi Mike

I hope you're keeping well!

I just wanted to check in on what the situation is with **The Outbound Ghost** and its developer? We've received a DMCA from Conrad Grindheim to remove the title from our site.

Thanks,
Rosie

Rosanna Mattiello
Buyer | Trading Team



greenmangaming.com



Digerati Distribution & Marketing

From: Mike Corrigan <mike@digeratidistribution.com>
Sent: 26 April 2023 09:03
To: Andy Dennis
Subject: Fwd: The Outbound Ghost notice of possible DCMA takedown request

----- Forwarded message -----

From: **Terrence Brooks** <terrence.brooks@epicgames.com>
Date: Tue, Feb 21, 2023 at 1:30 PM
Subject: re: The Outbound Ghost - notice of possible DCMA takedown request
To: Mike Corrigan <mike@digeratidistribution.com>

Hello Mike,

Please see the following message from our legal team:

The below material you've made available on the Epic Games Store has been removed in response to a copyright takedown notice we've received from a rights holder:

Allegedly Infringing Content: [The Outbound Ghost Download and Buy Today - Epic Games Store](#)

If you believe this content should not have been removed from the Epic Games Store, you may contact the complaining party to directly resolve your issue:

Rights Holder: Conradal S. Rl
mail: andres.arnaldos@almaranlaw.com

If you and the Rights Holder agree to restore the reported content, please have them write to us at dmca@support.epicgames.com with their consent to restore your content. Once we receive their consent, we may restore your content. Do note that the individual or entity who submitted the takedown notice is not required to respond to your inquiry.

If you believe the above-listed material has been removed as a result of mistake or misidentification, you may send us a counter notification of your objection pursuant to 17 U.S.C. § 512(g)(3). You must include the following in your counter notification:

your full name, address, telephone number, and email address

Identification of the material that has been removed or disabled and the location where the material appeared before it was removed or disabled

The following statement: I swear under penalty of perjury that I have a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled. I consent to the jurisdiction of the Federal District Court for the judicial district in which my address is located, or if I am located outside of the United States, for any judicial district in which Epic Games, Inc. may be found, and that I will accept service of process from the person who provided the takedown notice or their agent and

our physical or electronic signature. To enter an electronic signature, simply write your full legal name a first and last name, not a company name .

Please note that there may be severe legal consequences for knowingly submitting a false counter notification notice to us. If you would still like to proceed, please send your counter notification to the following address:

Legal Department
Epic Games, Inc.
620 Crossroads Blvd.
Cary, NC 27513
mail: dmca@support.epicgames.com

Best,

Epic Games Store



Terrence Brooks
EGS Account Manager, EGS BizDev Team
Epic Games, Inc.

On Thu, Dec 7, 2022 at 1:00 PM Terrence Brooks <terrence.brooks@epicgames.com> wrote:
Hi Mike,

Thanks for letting me know. We have not received any DMCA notices but the team handling that pipeline is made aware that it could be possible.

Let our Service Delivery team know if there's anything they can do as the game is still available for purchase on EGS. If you cannot de-list or make the game unavailable for purchase should that be your decision they can coordinate this with you.

Thanks,



Terrence Brooks
EGS Account Manager, EGS BizDev Team
Epic Games, Inc.

* Epic Games offices in the U.S. will be closed Nov. 24 - 27 & Dec 16 - Jan 2nd.

On Wed, Dec 7, 2022 at 4:24 PM Mike Corrigan <mike@digeratidistribution.com> wrote:
Hey Terrence,

I hope you are well.

We are currently undergoing legal counsel regarding our title 'The Outbound Ghost' and its developer Mr Grindheim.

If you receive any requests for a DCMA takedown regarding this title, please find our lawyer's response below.

Please let me know if you need anything further, I'd be more than happy to assist in any way I can!

Dear Terrence:

Mr. Grindheim has not complied with the DMCA takedown procedure in 17 U.S.C. § 512 c . For example, he has not identified the copyright registration. Because he has failed to comply with the provisions of 17 U.S.C. § 512 c 3 , this notice fails under the DMCA to provide notice to you regarding the infringing conduct.

Even if he did have a copyright registration or provided the information under the DMCA, Mr. Grindheim signed the attached work for hire agreement and has expressly assigned the copyright ownership to Digerati under 17 U.S.C. §§ 101 and 201. Accordingly, Digerati owns all of the rights in the game The Outbound Ghost.

Under Section 512 g , Digerati certifies that it has a good faith belief that the material at issue would be removed or disabled based on mistake. As such, this notice is protected under the DMCA Safe Harbour provision under Section 512 g 4 with respect to the developer's alleged DMCA Takedown notice.

Christian Cowart
Attorney Creedon P.C.
Cowboys Way, Suite 300, Frisco, TX 75034
D: 214.646.6666

Kind Regards,

MIKE CORRIGAN
OPS DIRECTOR

